

AUTHORIZING COMMISSIONER OF GENERAL LAND  
OFFICE TO DISPOSE OF CERTAIN TRUST FUNDS.

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JANUARY 27, 1921.—Referred to the House Calendar and ordered to be printed.

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Mr. SWINDALL, from the Committee on the Public Lands, submitted  
the following

REPORT.

[To accompany H. R. 15219.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 15219) to authorize the Commissioner of the General Land Office to dispose of certain trust funds in his possession, having considered the same, report it to the House with the recommendation that it do pass.

This bill was introduced at the request of the Department of the Interior. The reasons why the department deemed it advisable that such legislation should be enacted are set out in detail in a communication to the chairman of the Committee on the Public Lands of the House of Representatives, dated December 16, 1920, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington, December 16, 1920.

HON. N. J. SINNOTT,  
*Chairman Committee on the Public Lands,  
House of Representatives.*

MY DEAR MR. SINNOTT: When the Oklahoma town-site boards of trustees were abolished under the act of July 7, 1898 (30 Stat., 674), there were in the hands of the trustees moneys which had been received for the assessments upon lots in a large number of town sites and moneys deposited to pay the expense of contests over lots in said town sites which were unapplied and unearned. There were some 40 town sites disposed of by said trustees, but in some of the town sites, perhaps about half of them, there were no surplus moneys. After the sale of lots and the payment of the expenses in town site of Pawnee the department held (21 L. D. 52 Syllabus) that—

“Moneys derived from the assessment of lots and left in the hands of the trustees, on the completion of their trust, should be returned in just proportion to the persons from whom it was collected.”

In accordance with said decision a clerk of the General Land Office was detailed to ascertain the names and addresses of the purchasers, that the said moneys might be returned to them. After making a careful investigation to find the persons so entitled, and after disbursing to all who had applied after duly published notice given, there was still found to be left in the hands of the Commissioner of the General Land Office, as ex officio trustee for said town sites, the sum of \$348.51, derived from assessments and \$275.08 contest funds, aggregating \$623.59 which had not been applied for.

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The lots in said town sites were disposed of under the provisions of the act of May 14, 1890 (26 Stat., 109), and the joint resolution of Congress of September 1, 1893 (28 U. S. Stat., 11), and the lots were practically all disposed of between the dates of said acts and the 1st of January, 1899, when the Commissioner of the General Land Office became ex officio town-site trustee, to complete the unfinished work of said boards.

It appears, after diligent search and due publication, that the parties entitled to the return of said moneys can not be found, and in order to finally dispose of the moneys mentioned and relieve the Commissioner of the General Land Office from the care and custody of said moneys, it is deemed best to have legislation enacted in accordance with the proposed bill herewith presented. I therefore ask that the bill be introduced and receive favorable action if it meets your approval.

Cordially, yours,

ALEXANDER T. VOGELSANG,  
*Acting Secretary.*

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